

OCT 05 2007

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

2007 OCT -5 A 10: 51

In the Matter of )  
 )  
John Reeves Raese )  
Raese for Senate Committee and James Troy, )  
in his official capacity as Treasurer )  
 )

MUR **SENSITIVE**

GENERAL COUNSEL'S REPORT # 2

I. ACTIONS RECOMMENDED

(1) Find probable cause to believe that Raese for Senate Committee and James Troy, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(a)(6)(B)(iii) and (iv) and 11 C.F.R. §§ 400.21(a) and 400.22(a) by failing to timely file multiple notifications of expenditure of personal funds; (2) find probable cause to believe that John R. Raese violated 2 U.S.C. §§ 434(a)(6)(B)(iii) and (iv) by failing to timely file multiple notifications of expenditures of personal funds.

II. BACKGROUND

John R. Raese was a candidate for U.S. Senate for West Virginia in 2006. Raese for Senate Committee was the authorized committee for his campaign.

On March 6, 2007, the Federal Election Commission (the "Commission") found reason to believe that Mr. Raese and Raese for Senate Committee and James Troy, in his official capacity as treasurer (the "Committee"), violated reporting requirements arising under the "Millionaire Amendment" of the Bipartisan Campaign Reform Act of 2002 ("BCRA"). Specifically, the Commission found reason to believe that Mr. Raese and the Committee violated 2 U.S.C.

1 § 434(a)(6)(B)(iii) by failing to file the initial notification of expenditures of personal funds  
2 greater than twice the state specific threshold amount and 2 U S C. § 434(a)(6)(B)(iv) by failing  
3 to file and failing to timely file a subsequent notification of expenditure of additional personal  
4 funds The Commission also found reason to believe that the Committee violated 11 C.F.R.  
5 § 400.21(a) and 11 C F R. § 400.22(a) in connection with the above mentioned failures to timely  
6 file notifications of expenditures of personal funds.

1 \_\_\_\_\_ | In lieu of a response brief, Counsel submitted a letter on August 17, 2007,  
2 confirming his clients' desire not to contest the General Counsel's Briefs \_\_\_\_\_ |  
3 See Attachment 1

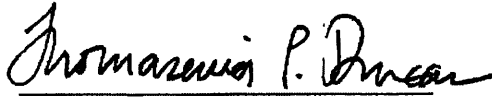
4 Based on the factual record and the analysis set forth in the General Counsel's Briefs, we  
5 recommend that the Commission find probable cause to believe that Mr. Raese and the  
6 Committee violated 2 U.S.C. § 434(a)(6)(B)(iii) by failing to timely file the initial notification of  
7 expenditures of personal funds greater than twice the state specific threshold amount and  
8 2 U.S.C. § 434(a)(6)(B)(iv) by failing to timely file a subsequent notification of expenditure of  
9 additional personal funds. We also recommend that the Commission find probable cause to  
10 believe that the Committee violated 11 C.F.R. §§ 400.21(a) and 400.22(a) in connection with the  
11 above mentioned failures to timely file notifications of expenditures of personal funds


12 \_\_\_\_\_ |  
13 \_\_\_\_\_ |  
14 \_\_\_\_\_ |  
15 \_\_\_\_\_ |  
16 \_\_\_\_\_ |  
17 \_\_\_\_\_ |  
18 \_\_\_\_\_ |  
19 \_\_\_\_\_ |  
20 \_\_\_\_\_ |

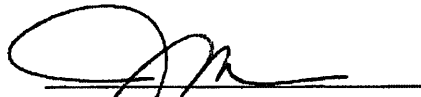
IV. RECOMMENDATIONS


1. Find probable cause to believe that Raese for Senate Committee and James Troy, in his official capacity as treasurer, violated 2 U S C. §§ 434(a)(6)(B)(iii) and (iv) and 11 C.F.R. §§ 400.21(a) and 400.22(a),
2. Find probable cause to believe that John R. Raese violated 2 U S C. §§ 434(a)(6)(B)(iii) and (iv); and
3. \_\_\_\_\_
4. Approve the appropriate letters.

10/5/2007  
Date

  
Thomasena P. Duncan  
General Counsel

  
Ann Marie Terzakian  
Acting Associate General Counsel for Enforcement

  
Julie Kara McConnell  
Acting Assistant General Counsel

  
Adam Schwartz  
Attorney

Attachments:

1. Response to the GC Brief of John R. Raese and Raese for Senate Committee and James Troy, in his official capacity as treasurer
2. \_\_\_\_\_